

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KING COUNTY PUBLIC HOSPITAL
DISTRICT NO. 1, dba EVERGREEN
HEALTHCARE AND PUBLIC HOSPITAL
DISTRICT NO. 1 OF SNOHOMISH
COUNTY, dba EVERGREEN HEALTH
MONROE,

Plaintiffs,

v.

IRONSHORE SPECIALTY INSURANCE
COMPANY

Defendant.

Case No. 2:21-cv-01117

DEFENDANT IRONSHORE SPECIALTY
INSURANCE COMPANY'S NOTICE OF
REMOVAL

TO: THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

AND TO: PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:

Defendant Ironshore Specialty Insurance Company ("Ironshore") hereby removes this
civil action to the United States District Court for the Western District of Washington from the
Superior Court of the State of Washington for King County pursuant to 28 U.S.C. §§ 1332 and
1446, whereby this Court has subject matter jurisdiction because of diversity of citizenship for

DEFENDANT IRONSHORE SPECIALTY
INSURANCE COMPANY'S NOTICE OF
REMOVAL

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1 the parties. The grounds for removal are more particularly stated below.

2 1. This insurance coverage action was commenced by plaintiffs in King County
3 Superior Court on April 30, 2021. *See* Complaint, Exhibit A attached hereto.

4 2. Ironshore issued a policy of insurance to King County Public Hospital District No.
5 1 dba Evergreen Healthcare and Public Hospital District No. 1 of Snohomish County dba
6 Evergreen Health Monroe (collectively, "Evergreen"). Evergreen tendered claims to Ironshore for
7 "Disinfection Event" coverage.

8 3. This Notice of Removal is filed within thirty (30) days after Ironshore received a
9 copy of Evergreen's Complaint, which sets forth the basis of Ironshore's removal under 28 U.S.C.
10 § 1446(b). As such, this removal is timely.

11 4. The amount in controversy in this action, exclusive of interests and costs, exceeds
12 \$75,000. Declaration of Peter J. Mintzer at ¶2. To the extent any questions arise as to whether the
13 amount in controversy requirement is satisfied, Ironshore respectfully requests the opportunity to
14 present supplemental evidence in support of its position that this case is subject to removal. *See*
15 *Dart Cherokee Basin Operating Co. v. Owens*, 135 S. Ct. 547, 554 (2014) ("Evidence establishing
16 the amount [in controversy] is required by § 1446(c)(2)(B) only when the plaintiff contests, or the
17 court questions, the defendant's allegation.").

18 5. Plaintiffs Evergreen are Washington public hospital districts with their respective
19 places of business in King County and Snohomish County, Washington.

20 6. Ironshore is incorporated in Arizona with a principal place of business in
21 Massachusetts.

22 7. This Court has original jurisdiction over this action under 28 U.S.C. § 1332(a) since
23 there is complete diversity of citizenship of the parties and more than \$75,000, exclusive of
24 interests and costs, is in controversy.

25 8. Immediately upon filing this Notice of Removal, Ironshore will file an appropriate
26 Notice, with a copy of this Notice of Removal, with the Clerk of the King County Superior Court

1 and will provide written notice to counsel for plaintiffs.

2 9. **INTRA-DISTRICT ASSIGNMENT:** Venue is proper in this Court pursuant to
3 28 U.S.C. §§ 1441(a) and 1446(a) because the Western District of Washington is the federal
4 judicial district embracing the King County Superior Court where the state court action being
5 removed was originally filed.

6 10. By removing this action, Ironshore does not waive any objections or defenses and
7 Ironshore specifically reserves all such objections or defenses it has to this action, including, but
8 not limited to, insufficiency of process or service of process, jurisdiction or venue.

9 DATED: August 19, 2021

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12 By: /s/ Peter J. Mintzer
13 Peter J. Mintzer, WSBA# 19995
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20 Attorneys for Defendant IRONSHORE
21 SPECIALTY INSURANCE COMPANY
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CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and served the same on the interested parties in this action as follows:

Attorneys for Plaintiffs

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☐ Electronic Service via ECF/CM
☒ E-Mail
☐ U.S. Mail

DATED this 19th day of August, 2021.

/s/ Emily Rose

Emily Rose
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